

Remarks

In the outstanding Office Action, the Examiner has found that the claims are directed to more than one species of the generic invention. The species have been found to lack unity of invention because they are not so linked as to form a general inventive concept. The Examiner has required an election to one polypeptide sequence in which all the variable are defined.

In response, applicants elect a polypeptide comprising the amino acid sequence of SEQ ID NO:16 and PEG molecular weight range of about 200 Da to about 100,000 Da, with traverse. Claims that read on the elected species include the peptide of claims 1-9 and 21, the complex of claims 10-19 and 24, the carrier of claims 25 and 27, and the claimed methods of claims 20, 22, 26 and 28. Thus, all claims read on the elected species. Once the elected species is found to be allowable, the Examiner is requested to expand his search to the other species. The PEG binding site is not specified in the claims.

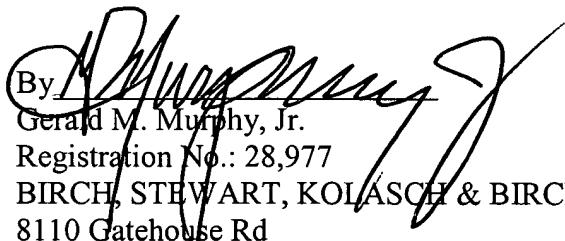
Applicants respectfully disagree that the species identified by the Examiner lack unity of invention. All of the present claims share the special technical feature of a polypeptide chemically modified with PEG including a sequence of 18 amino acids. Applicants respectfully submit that this feature, on its face, is a clearly novel inventive concept, and thus a question of unity of invention should not arise with respect to the present claims. Applicants respectfully request withdrawal of the restriction, and that all claims be presently examined.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gerald M. Murphy, Jr. (Reg. No. 28,977 ) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

Dated: July 5, 2005

Respectfully submitted,

By   
Gerald M. Murphy, Jr.  
Registration No.: 28,977  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant